

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 814 OF 1994

The State of Maharashtra ...Appellant.

Vs.

Chango Laxman Madhavi, ...Respondents.
since deceased through his
L.Rs.

Mrs. G.P. Mulekar, AGP for the State.

Mr.D.K.Ghaisas for the respondents.

CORAM : ANOOP V. MOHTA, J.

DATED : 29th August, 2007

ORAL JUDGMENT:-

1. The present State appeal is against the order dated 29th July, 1993 passed by the Joint District Judge, Thane, whereby the claim of enhancement of compensation has been granted.

2. There is no dispute that the land in question along with others acquired for the public purpose i.e. for planned development and utilization of the lands in the Trans Thane Creek area for industrial, commercial and residential purpose.

3. The learned district Judge after considering the

similarly situated area case and the certified copy of the judgment in LAR 132/1988, and as the land under reference is also agricultural land and the date of notification is also same, therefore, granted on a same footing, enhanced rate of Rs.10/- per sq.mtr.. In the background and after going through the root of the case, there is nothing to interfere with the said finding arrived at as the enhanced compensation is just and fair.

4. In the result, the appeal is dismissed.

(ANOO V. MOHTA, J.)